

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

| | | | |
|----------|--|------|-------------------------|
| Case No. | CV 11-1626 FMO (CWx) | Date | October 10, 2014 |
| Title | Housing Authority of the City of Los Angeles v. PCC Technical Industries, Inc., <u>et al.</u> | | |

| | | | | | |
|------------------------------------|--|---------------------------|--|----------|--|
| Present: The Honorable | | | Fernando M. Olguin, United States District Judge | | |
| Vanessa Figueroa | | None | | None | |
| Deputy Clerk | | Court Reporter / Recorder | | Tape No. | |
| Attorney Present for Plaintiff(s): | | | Attorney Present for Defendant(s): | | |
| None Present | | | None Present | | |

Proceedings: (In Chambers) Order to Show Cause Re: Settlement Agreement

On September 18, 2014, defendants Becker Bros. Steel Supply Co., Shama, a General Partnership, and Shama, LLC (collectively, "Becker Bros. entities") filed a Motion for Determination of Good Faith Settlement and Barring of Claims ("Motion"). The Motion asks the court to find that the settlement between the Becker entities and the Housing Authority of the City of Los Angeles ("HACLA") is in good faith and to bar further claims against the Becker entities. (See Motion at 1).

In addition to the settlement agreement between the Becker entities and HACLA, the Becker entities are apparently seeking approval of their settlement agreement with Enerfab, Inc. ("Enerfab"), another defendant in the action. The Declaration of Albert M. Cohen, counsel for the Becker entities, states that the Becker entities "have entered into a separate settlement agreement with" Enerfab, and "[i]f this settlement between them is approved as a good faith settlement, the Becker entities and Enerfab will dismiss their claims against each other." (See Declaration of Albert M. Cohen in Support of Motion for Determination of Good Faith Settlement ("Cohen Decl.") at ¶ 13); (see also id., Exh. 10 (settlement agreement between Becker entities and Enerfab) at ¶ 3(a)(i)). However, there is no motion before the court for determination of good faith settlement and an order barring claims regarding the settlement agreement between the Becker entities and Enerfab.¹

Accordingly, IT IS ORDERED that:

1. No later than **October 15, 2014**, the Becker entities or Enerfab shall file a motion for good faith settlement and an order barring claims related to their settlement agreement. (See

¹ Enerfab filed a Motion for Good Faith Settlement and Barring of Claims ("Enerfab Motion") on September 12, 2014, but it pertains to Enerfab's settlement with HACLA. (See Enerfab Motion at 1).

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

| | | | |
|----------|--|------|-------------------------|
| Case No. | CV 11-1626 FMO (CWx) | Date | October 10, 2014 |
| Title | Housing Authority of the City of Los Angeles v. PCC Technical Industries, Inc., <u>et al.</u> | | |

Cohen Decl. ¶ 13, Exh. 10). Failure to timely file the motion will result in the court's refusal to make such a finding related to Enerfab's and the Becker entities' settlement agreement.

2. All parties are granted leave to file an Opposition or a Notice of Non-Opposition to the Becker entities' or Enerfab's motion no later than **October 22, 2014**.

3. In the event that a party opposes the motion, the Becker entities and/or Enerfab shall file and serve a Reply Memorandum no later than **October 29, 2014**.

4. Unless the court orders otherwise, the motion will be deemed submitted, without oral argument, on either: (a) the day the parties' oppositions or notices of non-opposition are filed, or due and not filed; or (b) the day the reply is filed, or due and not filed.

00 : 00
 Initials of Preparer vdr